

# Solicitors' Journal & Reporter.

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TO CORRESPONDENTS.—All letters intended for publication in the "Solicitors' Journal" must be authenticated by the name of the writer. The Editor cannot undertake to return MSS. forwarded to him.

### CURRENT TOPICS.

IN THE CASE of *In re Foster, Ex parte Dickens* (20 W. R. 915), the Chief Judge refused to alter the decision of the taxing master, who had allowed the charges and expenses incurred by the respondent's country solicitor in coming up to London to superintend an appeal to the Chief Judge, which had been dismissed with costs. The appellant urged that the respondent's solicitor should have employed his London agent; but Bacon, C.J., is reported to have said that the country solicitor "was justified in attending the appeal, as he probably knew more about the matter than his London agent." No authority appears to have been cited, but the decision appears to be within the principle of *Bell v. Aitkin* (20 W. R. 704, L. R. 3 C. P. 320), where the country solicitor attended as well as his London agent, and the court laid down the reasonable doctrine that although in general the costs of two solicitors will not be allowed, yet cases may arise in which it is necessary that the solicitor who has had the conduct of the case from the commencement and is acquainted with all the facts should be present at the trial; that the taxing officer should take these facts into consideration, and should exercise his discretion as to whether he would not under the particular circumstances of the case depart from the general rule. In that case, notwithstanding that after this opinion had been expressed, the master said he had exercised his discretion, and had come to the conclusion that the costs of the country solicitor ought not to be allowed, the court directed the master to be informed that the costs in question ought, under the circumstances of the case, to be allowed. But in the subsequent case of *Potter v. Rankin* (L. R. 4 C. P. 76) the same court refused to interfere with the decision of the master, who had refused to allow the costs of journeys, attending at consultations with counsel, at the trial and on the argument of the rule, of the managing clerk of a Liverpool firm of

solicitors who had had the entire management of the case, although it was sworn that, from the importance and difficulty of the questions raised, the defendant could not safely or prudently have allowed the trial to have taken place without his personal attendance.

A CASE before the Leamington magistrates has drawn attention to the hours of closing and opening allowed by law to the coffee taverns which are being established in so many parts of the country. The history of these hours is curious. The licence for refreshment houses was first created by Mr. Gladstone's Act of 1860 (23 Vict. c. 27, s. 6), which provided that all houses open for public refreshment, resort, and entertainment between 9 p.m. and 5 a.m. should be deemed refreshment-houses, and that the keeper of them should be required to take out an excise licence. The hour of nine was extended to ten in the next year, by 24 & 25 Vict. c. 91, s. 8. But until the Act next mentioned was passed licensed refreshment-houses, unless also licensed for sale of wine, had no closing hours. By 27 & 28 Vict. c. 64, s. 5, it was provided that "No person within the limits of this Act shall open or keep open any refreshment house, or sell or expose for sale or consumption in any refreshment house any refreshments or any article whatsoever between the above-mentioned hours," i.e., between the hours of one and four o'clock in the morning. The Licensing Act, 1874 (which extended the limits of the above Act to the whole of England), by section 11, provided that the above Act, "so far as it is unrepealed, shall be construed as if there were substituted therein for the hour of one o'clock in the morning the hour of the night or morning at which premises licensed for the sale of intoxicating liquors by retail, situate in the same place as such refreshment houses, are required to be closed." That is to say, the hour of closing is to be the same in both classes of houses. But nothing is said as to the hour of opening; and as the coffee taverns depend for custom in many places largely on the early breakfasts furnished to working men, it is fortunate that by what was, perhaps, a legislative oversight, the time of opening remains unaltered. It is to be observed that if the coffee-tavern be open only in the day-time no licence at all is required; that the licence is one which the Inland Revenue are bound to grant, and that when once the licence is granted, the police have, under the Act 23 Vict. c. 25, very summary powers of entry to preserve order.

WE ARE NOT FAMILIAR with the judicial arrangements at the Guildhall Police-court, but it seems not improbable that, as in the superior courts there is sometimes found a vacation judge, for whose want of accurate knowledge of every branch of practice which comes before him due allowance has to be made, so there may be such a thing as a vacation alderman of proportionate but infinitely more portentous fallibility. Sir Andrew Lusk had before him on Tuesday last a charge against a person, stated to be a solicitor, of ringing a bell in the middle of the night, and, after remarking that "it was a pity some one did not pull the defendant's nose," the alderman is reported to have said that "it was just young solicitors and young students who did these things for a lark." We apprehend the public will find some difficulty in agreeing with the alderman's estimate of the lawlessness of "young solicitors." The general belief is that knowledge of the law does not tend to incite to breaches of the law; and a "young solicitor," who knows the consequences of pulling bells, will probably be considered quite as likely to show respect for the law as an alderman who recommends the pulling of noses.

ACCORDING to THE Times' correspondent at Cyprus, the addition of an English assessor to the Court of

Justice at Larnaca has caused the complete collapse of that tribunal. The salary of the judges who formerly constituted the court was about £2 a month; but it is supposed that "a certain class of fees from suitors, not strictly defined by law, were found evocative of zeal." These fees having ceased under the new régime, two of the members of the court have disappeared, one having resigned and the other having persistently absented himself on urgent private business; and, as the proceedings for supplying vacancies are long and cumbrous, there seem to be practically no means of holding the court. We would suggest to the authorities, in case all other measures fail, to try the system of judicial remuneration which for several hundred years contented the judges of another island within the British dominions. The judges of the Royal Court of Jersey, down to a recent date, were remunerated by a dinner at the opening of the *assise d'héritage*, which was paid for by the Queen's Receiver out of the revenues arising from the Crown property in the island.

THE DEATH of probably the oldest member of a profession rather noted for longevity is to be recorded. Mr. Thomas Nicholson, solicitor, died on the 9th inst., at his residence, Hawkswell, near Bedale, Yorkshire, in his 102nd year. Lest Mr. Thom should be down upon us, we hasten to add that the date of Mr. Nicholson's birth is given as the 12th of March, 1777. He was admitted a solicitor about the beginning of the present century, and practised for over twenty years at Hertford, during a part of which time he held the offices of Town Clerk of Hertford and Under-Sheriff for Hertfordshire. He afterwards spent several years in Tasmania, and was admitted as a barrister in that colony, where he was for some time a Commissioner for investigating claims to grants of land.

At the Guildhall Police-court on Tuesday, Mr. Arthur Stapleton, solicitor, of 62, Bishopgate-street Without, was charged before Sir Andrew Lusk, M.P., with annoying Mr. Richard Edward Thurman, of 2, Ludgate-hill. John Martin, 444, said that about a quarter-past one that morning he saw the defendant ring the bell at 2, Ludgate-hill, and walk away. Some one looked out of the window, and witness followed the defendant into St. Paul's-churchyard, and saw him groping about by the side of a door post for the bell-pull. He then took the defendant back to 2, Ludgate-hill. Sir Andrew Lusk said that it was an abominable thing to ring people's bells in the middle of the night. It was a pity some one did not pull the defendant's nose. Mr. Thurman said that he heard the bell ring violently about a quarter-past one o'clock, and thinking the house was on fire he looked out of the window. About ten minutes afterwards the constable brought the defendant to his house, and he gave him into custody. His wife, his niece, a young girl, and he himself were all ill, and they felt very much alarmed, thinking the house was on fire. A solicitor, who appeared for the defendant, said that it was all a mistake on the part of the officer. That some one rang the bell there could be no doubt, but it was not the defendant. He was a solicitor in practice, and was the son of Deputy Stapleton. He was on his way home from Camberwell, where he had been spending the evening with a friend, when he was apprehended. Sir Andrew Lusk said that it was just young solicitors and young students who did those things for a lark. The solicitor asked to be allowed to call witnesses to character. Sir Andrew Lusk said there was no necessity for that, for there was no doubt as to his respectability. The only question was, had the officer made a mistake; Martin was re-called, and, in reply to questions, said that there was no one on Ludgate-hill at the time but the defendant. Sir Andrew Lusk said he could not get over that evidence. It was a most mischievous piece of fun, and he should fine the defendant 20s.

## THE EVIDENCE GIVEN BEFORE THE LAND TITLES AND TRANSFER COMMITTEE.

### II.

WE considered last week the evidence relating to the necessity and utility of a system of land registry considered as a means for the prevention of fraud. But some of the proposals laid before the committee aimed at achieving much wider results from registration. Mr. Joshua Williams, Q.C., for instance, claimed for his scheme that, besides giving comparative security against fraud, it would preserve title deeds from loss, dispense with abstracts, and also with covenants for the production of deeds.

His plan, which he explained in considerable detail to the committee, may be shortly stated as follows:—The original deed would be registered and printed in full, and an office copy, certified by the registrar to be a proper copy, would be furnished to the person registering. Local registries would be established in each county, probably under the superintendence of the district registrars under the Judicature Act, and the index would be based on the Ordnance maps. "My notion of the map," said Mr. Williams, "is this: every one of the Ordnance maps relates to some particular parish, and all the parcels upon the map are numbered, beginning with No. 1, and going down to the end in numerical order. Then when a man brought a deed to be registered, I would have him declare that this deed relates to so and so, Nos. 191, 192, 193, part of 194, 195, and part of 196 on the map of the registry, and relates to no other number; then he should be bound by that, it being signed by the parties. Then in the index you enter the land under those numbers. I would have every parcel of land indexed under a number, and I would have an index of names also with regard to every map, and a separate index for every map, or series of maps, according to the numbers. Some of the maps are made very large, and are divided into three or four; but for every book of maps I would have a separate index and a separate registration, so that the registration should relate only to the map, or to the parcels of land comprised in the map, which map is accompanied by a book." When property becomes very much subdivided in the neighbourhood of towns, supplemental maps should be made giving numbers to smaller areas, or even as Mr. Williams suggested, so as to give a number to each house. And registration in the manner thus proposed should be indirectly made compulsory by providing that, in the absence of actual fraud, the deed first registered should always have priority. Mr. Williams does not propose to bring this plan into general operation at once; as he has suggested in our columns, he would start with the Middlesex Registry, and try the success of the experiment before extending it to the rest of England.

Now, as to the first advantage claimed for this plan there can be no question. Few practitioners can have been without experience of the annoyance and delay caused by the loss of deeds, and still fewer have failed to experience the difficulty of hunting after deeds which have been covenanted to be produced. "I have had personal experience," says Mr. Williams, "of the great inconvenience, expense, and delay occasioned by hunting after deeds which you have a covenant to produce. A. B. covenants to produce them; he dies, and you have to inquire of his solicitor what he did with the deeds, and you may find he has sold the property and parted with the deeds; then his purchaser may have mortgaged and handed over the deeds to somebody else, and a hunt after the deeds creates a great deal of expense and delay." These inconveniences would, of course, be obviated by the registration of the original deed. Mr. Williams, following the precedent of the office copy of the inrolment of a bargain and sale, would have it enacted that an office copy of every registered deed should be as good evidence as the original deed.

As to abstracts, Mr. Williams would have an enactment

that any vendor or mortgagor of land would sufficiently comply with his agreement by furnishing the purchaser or mortgagee with a printed copy of any deed instead of an abstract. This, he considers, "would much facilitate transactions; and the cost of printing the copy is much less than first making the abstract by one skilled person, and, secondly, having it compared with the original deed by another skilled person; and, after all, at the risk that the abstract may not have accurately given the substance." "According to my experience," he adds, "I would rather have a printed copy of a deed than an abstract. I should feel more certain of the copy being a correct one; and also, according to my experience, more blunders and mistakes have occurred, and bad titles have been accepted, from errors in abstracts than from any other cause. Counsel peruses the abstract; he is only responsible for the abstract. What in a deed is not a remainder, I have seen put down in an abstract as a limitation to A. for life, with remainder to B.; but on looking at the deed you found that it only gave to B. in a certain event, which had not happened."

On the point of the preference thus expressed for a printed copy over an abstract for purposes of perusal, we do not think Mr. Williams will find many conveyancers ready to agree with him. Mr. Wolstenholme justly says there is no comparison between the trouble of reading a deed printed in full and of reading an abstract. But the comfort of conveyancers is not the point in question; the main question is, would this change facilitate the examination of title and lessen the cost? Now, according to Mr. Frere, the cost of printing long deeds would be largely in excess of the expense of making abstracts; in his office they consider that three or four copies are equal to the expense of printing. Then it seems to have been rather forgotten that, if the conveyancer found the printed copies occupied more time than the abstract, his fees for perusal would at once be raised. Moreover, in the case, perhaps we may say, of the majority of purchasers no advantage would be derived from the printing, for probably the land which is purchased for the purpose of re-selling is a small proportion of that which changes hands in England.

One of the most important considerations in any proposal for a registry is, of course, the addition it will cause to the costs of the purchaser. As to this, Mr. Learoyd gives the following evidence with reference to the Yorkshire Registry:—

Our practice is this: we complete probably half a dozen deeds in the same office in the same day or week; we have a junior clerk to attest these deeds, and he goes down to Wakefield and registers them.

Does this, in your opinion, entail any great expense or hardship upon the mortgagors, or the vendors?—No, there is very little expense.

What expenses are there?—Preparing the memorial; 2s. 6d., the stamp on the memorial and the journey to Wakefield to register the deed, and there is a certain fee which we pay to register, which is on the average 4s. or 5s.

That is the whole?—Yes; it is common with us in small transactions to charge a guinea for preparing the memorial and registering.

Do you think that if you had two or three registries for a large county like the West Riding, the expense would be diminished?—Yes; I would suggest that it should not be necessary to go with a deed to the registry; that an affidavit or declaration would answer the same purpose.

You think that a guinea is sufficient?—Yes.

We have heard a great deal from some gentlemen about the enormous expense that would be entailed?—No, that is not so; and I am sure that the greater certainty which we acquire from the registry relieves us from the heavier investigations of title, and that practically there is no more cost to a purchaser or mortgagee for registering the deed in Yorkshire than in a non-registered county. My practice has extended for a great number of years into Lancashire; my town is only a dozen miles from the borders, and we have not any substantial difference in expense between our conveyance in Lancashire and in Yorkshire.

And, according to Mr. Pickard, the deputy-registrar, the average fee for registration is about 5s.

## General Correspondence.

### LAND TRANSFER.

[To the Editor of the Solicitors' Journal.]

Sir,—Before any more Registration Acts are framed, would it not be well for the "powers that be" to invite solicitors generally to express their opinion whether registration in any shape is desirable. They are the persons best able to form an opinion, and would be the persons to carry out any scheme decided on. I have a strong impression that the great majority of solicitors would be against any form of registration. It seems to me that (1) the recent frauds alone are not sufficient to justify an attempt to alter the present practice; (2) few solicitors could prove any frauds or attempted frauds connected with land transfer; (3) registration would in any form add to the cost of land transfer, and also to the time necessary at present for carrying out land transfers; and (4) the result of searches under any system of registration of deeds would be uncertain, particularly on large building estates near towns, and it is for these estates that, as I understand, registration is more especially desired.

Some time ago I saw, I think in your columns, a suggestion that frauds could be rendered difficult by indorsing a memorandum of the last assurance on the one immediately preceding it. Cannot something be made of this suggestion?

There is no doubt that conveyancing forms stand in need of pruning—many at least—and there would be no difficulty in reducing their length. Modern statutes have rendered unnecessary many clauses until recently, and even now occasionally, inserted as common forms in settlements and wills. A further statute could easily be framed to dispense with (1) covenants for title relating to all tenures of property, and as well on sale as on mortgage; (2) the express covenant in mortgages for payment of interest; (3) the "general words" clause in all assurances; (4) many of the conditions used in contracts for sale and at auctions—this would render it unnecessary to read at auctions a string of conditions which no one except a solicitor can understand—and (4) many of the common and lengthy clauses which find their way into strict settlements of land, whether made by will or deed. These strict settlements, from their length, which is altogether unnecessary, as may be seen by consulting the shorter forms in Mr. Davidson's Concise Conveyancing, are a nuisance to everybody concerned. They take much time to prepare; if any unusual clauses are necessary it requires much care to prevent them from varying in expression from, or clashing with, other parts of the deed; it is impossible for clients to understand them; and generally, whenever they have to be used for reference, for abstracting, or for comparing with an abstract, an unnecessary expenditure of time and, consequently, of cost has to be incurred.

A SOLICITOR.

The *Pall Mall Gazette* records the death of Mr. Reginald James Blewitt, formerly of Llantarnam Abbey, Mon., who died on the 11th inst. at the age of seventy-nine. He was the second son of Major Edward Blewitt, of Llantarnam Abbey, and was educated at Rugby School. In early life he practised for some time as a solicitor, but retired in 1827. In 1829 he established the *Monmouthshire Mercur*, a Liberal paper, which he edited for three years. He was a magistrate and deputy-lieutenant for Monmouthshire, and occasionally acted as chairman of quarter sessions. He represented the Monmouthshire Boroughs in the Liberal interest for some years, but retired from parliamentary life in 1852.



## Cases of the Week.

**PRACTICE—APPOINTMENT OF NEW TRUSTEES—VESTING ORDER—VACATION ORDER.**—In a case of *Re Thomas Henson, deceased*, and the Trustee Act, 1850, an application was made before Hawkins, J., vacation judge, on the 18th inst., for the appointment of new trustees of a settlement, and for a vesting order. The urgency mentioned was that the petitioner had no other means of subsistence, and that otherwise she would not be able to receive her dividends until November. Hawkins, J., made the order, but doubted whether it was vacation business, and stated he did not desire to encourage applications of that nature.

**PRACTICE—HEARING OF WINDING-UP PETITIONS—VACATION BUSINESS.**—In the case of several limited companies applications were, on the 18th inst., made to Hawkins, J., for leave to have the respective petitions answered for that day fortnight. In each case Hawkins, J., desired to know what was the urgency in the case, but no special affidavits to this effect had been filed, inasmuch as it has been hitherto the practice to make these orders as of course. Eventually Hawkins, J., made all the orders asked for, and laid down no especial rule as to urgency being shown in the case of a winding-up petition.

**ADMINISTRATION—CREDITOR'S ACTION—RECEIVER ON ISSUE OF WRIT—DANGER OF PREFERRING OTHER CREDITORS.**—In a case of *Re Shirreff, deceased, Keighley v. Shirreff*, which we mentioned before on the *ex parte* application, the motion for a receiver came on before Hawkins, J., on the 18th inst. A writ had been issued by a creditor for the administration of a testator's real and personal estate, and the creditor at once moved for a receiver on the authority of a case of *In re Radcliffe, deceased* (26 W. R. 417, L. R. 7 Ch. D. 733), where the Master of the Rolls held that the old equity rule now prevailed that an executor or administrator after action commenced and before judgment could prefer any creditor and would be allowed the amount in his accounts. The Master of the Rolls suggested that the proper way of preventing any preference was to at once move for a receiver when the writ was issued. The defendant, the executrix, filed an affidavit, in which she disputed the plaintiff's debt. Hawkins, J., made no order for a receiver, on the defendant undertaking not to part with the assets until the trial. As to the debt being disputed, he said that was a question for the hearing which he would not determine now.

**PRACTICE—DISCHARGE OF PRISONER—WRIT OF HABEAS CORPUS—BANKRUPTCY OF DEFENDANT—CONTEMPT—BANKRUPTCY ACT, 1869, ss. 12, 49.**—In a case of *Wilcox v. Watson*, also before the vacation judge on the 18th inst., an important and novel motion was made for the discharge from prison of the defendant Craddock, who had been committed to Holloway Gaol under a writ of *ne exeat* issued in March last. The defendant was a defaulting trustee, and on evidence of his intention to leave the country the writ had been issued. An order for an account had been made in the action, and the sum admitted in his statement of defence to be due had been ordered to be paid into court, which had not been done. Towards the end of August the defendant was adjudicated bankrupt, and now moved for his discharge on the authority of *James v. North* (7 W. R. 150), on the ground that all his property vested in his trustee in bankruptcy, and that he had no means of finding security for the amount indorsed on the writ of *ne exeat*. For the plaintiff it was urged that under the Bankruptcy Act, 1869, which differed from the Insolvent Act, under which *James v. North* was decided, the bankruptcy was no discharge for the debt, and that the defendant remained liable, and should not be discharged. In reply the defendant referred to *Cobham v. Dalton* (23 W. R. 865, L. R. 10 Ch. 655), which decides that a bankrupt's person and property are protected by virtue of the Bankruptcy Act, s. 12, during the continuance of the bankruptcy. Hawkins, J., was of opinion that *Cobham v. Dalton* governed the case, and made the order on the terms of *James v. North*, except that the payment of costs was not to be a condition precedent to the defendant's discharge. The order would be for his immediate discharge, and he must be

ordered to pay the costs of the motion to discharge, and undertake to bring no action or proceeding against the plaintiff in respect of the issue of the writ of *ne exeat*.

## JUDGES AND ADVOCATES IN SCOTLAND.

The *Scottish Journal of Jurisprudence* reports the proceedings at a dinner recently given to Mr. Shires, solicitor, of Brechin, who is Dean of the Society of Procurators for Forfarshire, by a number of his professional brethren desirous of congratulating him on the fiftieth anniversary of his admission as a procurator before the Forfarshire Sheriff Court. The chair was occupied by Mr. Robertson, the sheriff substitute, who, in proposing the health of Mr. Shires, said:—The relations between the bar and the bench are rather different in the provinces from what they are in the supreme courts, and naturally so. In the supreme courts, where questions of the greatest moment have to be discussed, and where there is little or no right of appeal, judges are selected from men of long-tryed experience. They have gone through a long apprenticeship at the bar themselves, and very properly the best men are selected and put on the bench. By the time they reach that position they have comparatively little to learn from the bar—rather the gain is all the other way. In the provinces it is not quite so. The questions that have to be decided in the provincial courts are of course to the litigants of great importance, but still they are of less magnitude than those which come up in the superior courts, and then the right of appeal keeps in check the decisions that are given. Men are selected to preside in the courts who have not the matured and tried experience of the supreme judges. They are men of more modest acquirements, and, I may add, of more modest salaries. It is of very great advantage for a young man when he is selected for a post of that nature to find around him men of experience who can guide him, at any rate for some years, very much in his conduct of the business, and he naturally looks up to them for assistance in the early part of his career. I am proud to have this opportunity—I am thankful to have it—of telling Mr. Shires, as I do now, how very much I owe, and have always owed, to him ever since I had the honour to fill the position I now occupy. Mr. Shires has not only instructed me many a time in sound Scottish law, but he has always held up before me in himself an un-failing example of patience, courtesy, and unruffled good temper, qualities, I think, that no judge need be afraid to imitate. I am going to be perfectly frank with you on this occasion, and particularly with Mr. Shires. I am prepared to say that when I first came to Forfar I did not quite appreciate Mr. Shires as I ought to have done. There was a great deal of business to be done in those days, and, as it happened just when I was promoted to the bench, there were a number of very troublesome and difficult questions, some of them from this part of the county. I gave them the best of my attention—but, as you may know, the best of my attention was then very small—and I wrote what I thought most remarkably able decisions. I must say, however, that my friend Mr. Shires thought otherwise, and he did all he could—and successfully too—to get them terribly set up in the supreme courts. I did not quite appreciate that at the time. Then again every morning at ten o'clock—which was then the hour at which the court met—there was Mr. Shires at the bar as neat and prim as if he had just left his toilet-table. Even at my small debt courts—however remote and barbarous regions I went into; Kirriemuir, for instance—there was Mr. Shires waiting for me, with a large blue bag containing a most formidable lot of authorities. Well, I found myself saying a month or two after I came to Forfar, I really would be very happy at Forfar if it were not for this man Shires. You will excuse the frankness of this confession, but I warned Mr. Shires before dinner that it was coming, because I hasten to make the *amende honorable*. In a short time I began to find that if I wanted a case fairly, relevantly, and shortly stated, Mr. Shires was the man to help me. As I grew a little older, and got a little more sense, I began to find myself saying, What should I do without this man Shires? I am glad indeed to have this opportunity of making this confession to him.

## SOLICITORS' REMUNERATION.

In his evidence before the Land Titles and Transfer Committee, Mr. Bartle L. J. Frere said, in answer to Mr Walpole:—

As to the payment of solicitors, I understood you to say the better way would be to pay them by an *ad valorem* scale, instead of paying them by length; and the reasons you have given seem very strongly in favour of some change, namely, that there is an inducement to lengthen deeds, and the further inducement to prolong negotiations, in order that the thing may live?—Yes.

But, as to the question of an *ad valorem* payment, I understand that the Law Institution has introduced a new scale?—Yes.

And that scale is an *ad valorem* scale?—Yes.

Is it generally carried into effect now?—No.

I think I understood you to say that you do not charge it, except with the knowledge of your clients?—I cannot do it.

Is it not open to this very grave objection, unless there is some modification given to it, that a matter relating to land of extreme value may not require any much greater skill and attention, or duty or labour, on the part of the solicitor, and yet you would charge, if it was an estate worth £300,000, a large percentage upon it, just the same as if it were an estate worth £100?—Yes, and that is quite fair; I do not think a gentleman has an absolute heavenly right to his land; I think he is bound to pay those who are necessary for the administration of the law; and I think the rich people ought to pay in proportion to their riches.

And that because a man is in the possession of a very large estate of land, he has to pay the expense of the solicitors of people who have much smaller estates?—That is one way of putting it. You pay upon a large thing at a very much reduced rate. I do not see why I should help you to get rid of your estate of £300,000 and take all the responsibility and trouble off your hands, without being well paid for it; you pay your surveyors without any hesitation.

Chairman: And your brokers?—Yes. I can safely say that I would freely undertake the whole business if I was paid and allowed to divide with the surveyor the amount which he receives. Surveyors frequently ask me to employ them upon a division of profits; and if I were to divide the profits with the surveyor, if you say you may employ a surveyor as your servant, and pay him what you like, I will pay the surveyor, and quite satisfy him, and I will do the business at the same rate as the surveyor without charging you sixpence for the law, with pleasure.

Mr. Walpole: You mentioned a case in which the new scale was applied; was that the case of a mortgagee?—I do it with mortgagees sometimes.

In the case you mentioned, were you advising for the mortgagees?—I was acting for the mortgagees; I did it with the mortgagor; I told a mortgagor, I will charge you the scale.

The mortgagor has to pay all the expenses, has he not?—Yes.

In that case the mortgagee suffers nothing at all, if he pays the *ad valorem* charge?—It is immaterial to the mortgagee.

Still it comes to this, that unless we can simplify titles, and alter the scale of charges, you think that neither registration by title, nor registration by deed, is likely to be of much avail?—I ought to make an observation upon that. I do not think that an alteration in the mode of paying the lawyer would at all benefit the client.

I do not say benefit the client?—It would not make it cheaper; it would make the deeds shorter, but not cheaper; we must be paid some way or another. We are paid upon a vicious principle, no doubt; but we are not extravagantly paid, compared with other people; we are not paid as much as architects and surveyors, and accountants.

Chairman: All those persons are paid by per-centage, are they not?—Accountants charge 10s. an hour, and we only get 6s. 8d.

Mr. Walpole: The real fact is, that a solicitor is not paid for what he really does, or as he would be paid under a better system, because he would otherwise not get a proper remuneration; is not that so?—As to people in my position that is not so, because we do not make deeds longer; our clients let us charge pretty well what we like; and if I turn the 6s. 8d. into 13s. 4d., I am pretty well paid, and they do not ask questions; but if the bill comes to be taxed at all, it is a different matter.

## Societies.

## UNITED LAW STUDENTS' SOCIETY.

At a meeting of this society held at Clement's-inn Hall, on Wednesday, the 11th inst., Mr. T. Eastace Smith in the chair, the following subject was opened by Mr. S. Saw, jun.: "That the principle of limited liability is on the whole harmful in its action to the commercial prosperity of the country." Mr. Saw was followed by Messrs. Hazard, Owen, Smith, and Kains-Jackson. The motion on being put to the vote was lost by a majority of seven. We are requested to state that the library remains open during the vacation; books may be had upon any of the evenings of meeting at Clement's-inn, or by application in writing to Mr. W. C. Owen, 1, Wells-street, Jermyn-street.

## SOCIAL SCIENCE ASSOCIATION.

## EVIDENCE OF ACCUSED PERSONS.

In February, last year, a report from the standing committee of the Municipal Law Section was read by Mr. Alfred Hill on the subject of the amendment of the law of evidence by admitting the testimony of prisoners and defendants, and of their husbands and wives, in criminal prosecutions. A set of queries had been sent to each Chief Justice and Attorney-General of the United States of America and of the provinces of Canada, requesting information as to the procedure of the courts in their districts. A number of replies were received, which were printed with the report. There were, however, some which did not come to hand till a long time after. We give the answers to Nos. 7 and 8. By "the new system" is meant the system of admitting the testimony of prisoners.

## QUERIES.

7. If your system has been changed in favour of admitting the testimony of prisoners, how has the new system worked in practice, and has it given satisfaction to the profession and the public?

8. Especially has the change been productive of any real hardship or injustice to the innocent, or has it assisted in bringing the guilty to punishment?

The following are the answers to these queries:—

CALIFORNIA: George F. Baker, Attorney-General.—7. The system has been changed in favour of admitting the testimony of prisoners. So far as I am advised, it has worked well in practice, and has given satisfaction to the profession and the public. In some of the earlier cases, perhaps, there was an inclination on the part of the lower courts to hold that the defendant was bound to offer himself, or, being permitted so to do, could not by other evidence prove what he might prove by himself. But the Supreme Court established the rule otherwise (see *People v. Anderson*, 39 Cal. Rep. p. 703). That the present law is generally acceptable is best shown by the statement that it has remained upon our statute books for a decade. In the meantime, a commission has revised our laws. The commission retained these provisions, and the Legislature re-enacted them. A committee consisting of Hon. Stephen J. Field, one of the justices of the Supreme Court of the United States, and a citizen of this State; Hon. J. Temple, ex-justice of the Supreme Court of this State; and Hon. John W. Dronville, an eminent member of this bar, revised the work of the commission, and allowed these provisions to remain. As a people, we are inclined to change that which does not please. Our ideas and institutions are not so firmly rooted as to make it difficult to change or modify them. In fact we are too much given to change. But while such is the fact, we are, as a community, sober in judgment, keen in our sense of justice and right, and quick to adopt what seems likely to accomplish the right and most substantial reform. Though in the Eastern States of this Union, and in Europe, we may be regarded as upon the very verge of civilisation, we have yet adopted measures and established laws which we strongly believe are among the very best in force in any civilised State on the face of the globe. 8. The change has been productive of no real hardship or injustice to the innocent, I think. The law forbids any unfavourable deduction to be made from the failure of the defendant to testify on his own behalf. The aim of the law is to enable the defendant to explain facts which might otherwise be capable of no

explanation; and, as the defendant is an interested party, his statements are taken with all the allowances due to the word of a person who may be on trial for an offence affecting his very life. Our law is now very liberal, excluding but few classes of evidence, and those chiefly what its law, from public policy, will not admit, such as that resulting from the confidential relations, &c. Whether the law has assisted in bringing the guilty to punishment or not is not so easily answered. If a prisoner knows that he cannot safely testify on his own behalf, he will not offer himself, but stand upon the case made out against him. In some notable cases the defendant has confirmed the case against himself. One Vasquez was tried for an indictment for murder. Our statute provides that murder which is committed in perpetration of, or attempt to perpetrate robbery, is murder in its first degree, and is punishable with death. The evidence on the part of the people tended to show that Vasquez himself had fired a fatal shot in the course of the robbery in which he and others were engaged. Vasquez himself testified that he did not fire the fatal shot, but admitted the conspiracy to rob, the robbery, and the killing in the course of the robbery. Without other testimony, his own would have been sufficient to convict. (See *People v. Vasquez*, 49 Cal. Rep. 560.) In view of this case, it may perhaps be safe to say that it has assisted in bringing the guilty to punishment. I have no hesitation in expressing an opinion in favour of the law which permits the defendant to testify on his own behalf, if he so elect to do; and, if one is adopted, I think no better can be found than to transplant that which now forms a part of the codes of the State of California.

COLUMBIA: John Little, *Attorney-General*.—7. There was considerable opposition to the Act of 1867 at first, but the public has become entirely reconciled to it, and its repeal is not thought of. The system has given general satisfaction. 8. The change has not been productive of hardship or injustice. It is difficult to say just what its effect has been upon convictions. It is probable that some wrongfully charged have been acquitted by reason of it; and it is quite certain that guilty defendants have been convicted by reason of their testifying, who would otherwise have escaped. It is a rare case that a guilty criminal can undergo a rigid cross-examination, and leave an impression of his innocence upon the jury. One of the best evidences of the salutary effect of the change is the general public favour in which it is held.

MARYLAND: James L. Bartol, *Chief Justice*.—7. So far the new system appears to work tolerably well; but what may be the ultimate opinion with regard to its merits remains to be seen. Its efficacy as a means of disclosing the truth depends greatly upon the vigour and skill of the prosecuting attorney. If he be weak and unskilful, and the accused be an ordinary representative of his class—a shrewd and cunning fellow—it will always be in his power, unless the adverse evidence be direct and overwhelming, to create such doubt as to furnish ground for an ingenious counsel to claim an acquittal. Many clear cases of guilt, depending on circumstantial evidence, will doubtless be turned in favour of the prisoner, upon his own evidence, however false it may be. 8. The change has certainly not been productive of any real hardship or injustice to the accused; but whether the working of the system will materially aid in bringing the guilty to punishment may admit of great doubt. Our experience of the working of the law in practice is not sufficient to enable us to form any very definite opinion upon the subject.

MICHIGAN: Thomas M. Cooley, *Chief Justice*.—7. The new system has worked well, and given general satisfaction. The best evidence of this, perhaps, is that no one proposes to go back to the old system. Indeed, that seems to us barbarous. I am confident innocent men are often saved from conviction by their explanations, while guilty persons are very likely to injure their case if they place themselves on the stand. 8. This, I think, is answered above. The sentiment here is against compelling accused parties to disclose, and their not doing so is not allowed to be the subject of comment to the jury. Therefore our system cannot work any hardship to the innocent. I believe it does assist in bringing the guilty to punishment in this way, in their unintentionally supplementing by their statements the evidence put in by the prosecution.

NEVADA: Thomas P. Hawley, *Chief Justice*.—7. The

members of the profession entertain different opinions upon the question; but the practice has given satisfaction to the public. 8. The rule of allowing prisoners to testify has not been productive of any hardship or injustice to the innocent. Whether it has assisted in bringing the guilty to punishment is a more doubtful question, and one upon which there is much difference of opinion.

NEW HAMPSHIRE: Charles Doe, *Chief Justice*.—7. The new system has worked well in practice, and has given satisfaction to the profession and the public. 8. The change has not been productive of any real hardship or injustice to the innocent. On the contrary, it has greatly facilitated their acquittal. Sometimes it enables the guilty to escape; sometimes it secures the conviction of those who would escape if they were silent. On the whole, it is an undoubted improvement.

RHODE ISLAND: Thomas Darfee, *Chief Justice*.—7. I do not think there is much disposition to return to the old system, though the propriety of the new system is sometimes questioned or debated. It holds out a strong temptation to the guilty man to add perjury to his other crimes, but I do not think perjury so committed is often successful. 8. I am not aware that the change has been productive of any real hardship or injustice to the innocent, and I cannot very well conceive how it should be so. For an innocent person I think the change must be beneficial. I have been told of a case where the guilt of a respondent was made more apparent by testimony given by him in his own behalf. My own observation has not led me to believe that a guilty person has either gained or lost much by the change; but personally I have comparatively little to do with the trial of criminal cases.

The Social Science Association will hold its twenty-second annual congress at Cheltenham, from October 23rd to the 30th, 1878, under the presidency of the Right Hon. Lord Norton, K.C.M.G. The departments will be—I.—Jurisprudence and amendment of the law: special questions—1. The codification of the criminal law, with special reference to the Attorney-General's Bill. 2. Simplification of the evidence of title to real property by record of title or otherwise. 3. Whether the extinction of all customary and other special tenures and the limitation of leasehold terms are not desirable? 4. Should the summary jurisdiction of magistrates be further extended? 5. The consideration of the proceedings of the Stockholm International Prison Congress. II.—Education. III.—Health. IV.—Economy and trade. V.—Art.

The following are the regulations concerning papers and discussions:—

The special questions will be taken on the Thursday, Friday, and Monday of the meeting. The committees will obtain papers to open the discussion of these questions, and any member wishing to contribute papers on them is requested to communicate with the secretary of the department to which the subject belongs, who will inform him whether the papers required on the subject have been obtained. Papers on other subjects comprised within the range of the departments will be received and will, if approved, be taken on the Saturday and Tuesday, or on such other days as may be found convenient. The length of voluntary papers is limited to twenty minutes in reading. The council reserve to themselves the right of refusing any voluntary papers which might be sent in; and even in the case of papers that are accepted, the reading of such papers must depend on the time at the disposal of the council. No papers already published can be read. No papers, when read, can be published by the author (unless by permission of the council) previous to the publication of the transactions of the association for 1878. The council may print any paper, either wholly or in part, or in any abridged form, or may exclude it from the transactions, as they see fit. Every paper must be sent to the assistant secretary, on or before the 14th of October. On the first page of the paper should be written the question or subject, the name of the author, and his address. Short abstracts should be sent with every paper, for the use of reporters for the press.



## Obituary.

### MR. WILLIAM HANNEN.

Mr. William Hannen, solicitor, formerly of Shaftesbury, died at Weston-super-Mare, on the 7th inst. Mr. Hannen was the son of Mr. Charles Hannen, solicitor, of Shaftesbury. He was born in 1805, and was admitted a solicitor in 1831, and for over forty years he carried on an important practice at Shaftesbury, having been during the early part of his professional career in partnership with Mr. John Reiter. Mr. Hannen was a commissioner for oaths, and a perpetual commissioner for Dorsetshire, and he also held several important public offices, having been registrar of the Shaftesbury County Court (Circuit No. 55), clerk to the Shaftesbury Turnpike-road Trust, and one of the coroners for Dorsetshire. He was for several years a member of the Shaftesbury Town Council. Three or four years ago, on account of failing health, Mr. Hannen resigned his appointments and retired from practice.

### MR. HENRY WHITE.

Mr. Henry White, solicitor, died at Williton, on the 8th inst. Mr. White was born in 1806, and was admitted a solicitor in 1827, and shortly afterwards settled at Williton, where he practised until his death. He was for many years the only solicitor at Williton, and his private business was very extensive. He had been clerk to the Williton Board of Guardians ever since its formation, and registrar of the Williton County Court (Circuit No. 57), ever since the passing of the County Courts Act of 1846. He was also superintendent-registrar, clerk to the Williton Highway Board, the Commissioners of Taxes, and the Lieutenantcy for the Sub-division, and a perpetual commissioner for Somersetshire. At the time of his death he was in partnership with his son, Mr. William Henry White, who was admitted a solicitor in 1862, and he had offices both at Williton and at Minehead.

## Legal News.

The correspondent of the *Times*, at Cyprus, states that the court of justice at Larnaca has been struck with paralysis. The court consists of a Cadi and two other members, Mussulman, or non-Mussulman, and these members receive a salary of about £2 a month, or £24 a year. How it was ever in times past worth the while of any merchant or landowner to discharge the duties of a justice of the court at this rate of remuneration it would probably be a breach of delicacy to inquire; but it is probable that a certain class of fees from suitors, not strictly defined by law, were found evocative of zeal. These incidental emoluments having now ceased under the supervision of an English officer as assessor in the court, and the calls of private business pressing, of the three members of the court two have disappeared. One has resigned, and the other absents himself, and thus there is no court. The proceedings for supplying such vacancies according to the existing law are long and cumbrous, and, in the days of justice to which we have succeeded, were not probably ever put in operation. Here, consequently, is a court which practically dissolves itself, while there is no means of supplying its place.

A criminal prosecution of an unusual nature, says the *Pall Mall Gazette*, is reported from San Francisco. In June, 1876, a number of white cigar-makers became incorporated under the style of the Cigar Makers' Association of the Pacific Coast. In July, 1876, the association filed with the Secretary of State, in pursuance of the requirements of the law, a trade-mark or label, the object being to inform the public that the contents of the boxes were the product of white labour. The association was so far successful that it began to drive the Chinese product from the San Francisco market, and made it difficult for the employers of Chinamen to dispose of their goods to first-class dealers. Lately, however, one Henry Ritzan, an employer of Chinese labour, affixed labels in imitation of the association label to his goods. This led to his arrest under a section of the penal code of California, which provides that "every person who

sells or keeps for sale any goods upon or to which any counterfeited trade-mark has been affixed intending to represent such goods as the genuine goods of another, knowing the same to be counterfeited, is guilty of a misdemeanour." In the meantime Ritzan denies that his label is a counterfeit. The case has excited great interest, owing to the intensity of the hatred with which the Chinese are regarded in California.

The report of the Select Committee of the House of Commons which last session inquired into the working of the Mutiny and Marine Mutiny Acts has been issued. The report states that the committee mainly directed their inquiry to an examination of a scheme for the reform of military law submitted to them by the direction of the Secretary of State, and the plan suggested by her Majesty's Government was submitted to the committee in the shape of a draft bill. The committee are of opinion that it is unquestionably a matter of the first importance to digest and consolidate the penal provisions of military law into one document under the same authority, expressed with the utmost simplicity and clearness. The incorporation of all the penal provisions contained in the Mutiny Act and the Articles of War in a single statute has been adopted in the scheme submitted to the committee on behalf of the Government. It is proposed that that statute, when it has once received the assent of Parliament, should constitute a permanent military penal code, subject, of course, to amendment, as in the case of any other statute, but that the constitutional principle of the control of Parliament over the army should be preserved by making the code operative only by means of a short annual Bill, which will contain the ancient recitals of the Mutiny Act. This proposal the committee approve of. They also consider that the power at present given to the Crown by the Mutiny Act to make Articles of War should be preserved.

It is not an uncommon thing, at the present time, says the *Albany Law Journal*, for a crime to be committed in the public streets of a city, during the busy part of the day, and the police be unable to discover who perpetrated it. A robbery took place in the streets in New York, last week a man who was carrying a package of money being attacked by several persons who tried to get the money from him. He threw the package to a telegraph messenger boy telling him to run away, which the boy did. The robbers pursued him and compelled him to deliver the package to them. There were a number of people in the streets who saw the affair, yet the robbers escaped with their booty, and no one could be found who could identify them. We wonder if it has ever occurred to the police, and other officials engaged in the business of preventing or punishing crime, that the practice of imprisoning witnesses has anything to do with the difficulty experienced in finding out the circumstances surrounding the commission of such offences? It is a common caution given to strangers in New York, "If you see any crime committed don't say anything about it, or you will be called on as a witness and put to trouble and expense." We are confident that if the practice of detaining witnesses, who are unable to find security for their appearance, were done away with, the difficulty now experienced in detecting and convicting those who commit the more dangerous kinds of crime would, in a large degree, be done away with.

A correspondent of the *Times*, referring to a Congress of Scandinavian Jurists, held at Christiania, attended by from 400 to 500 persons, says:—"The principal question this time brought before the congress was that of juries, or, as it was expressed, of the participation of a lay element in the distribution of justice. In Norway this question may be considered as definitively settled against the jury. After several years of struggle and passionate debate, in which the men of progress made their best efforts to adapt the system to the particular wants of the thinly populated country, it was at last acknowledged that, apart from theoretical objections, insurmountable practical difficulties prevented the introduction of the system in Norway, and the whole movement has since been shelved. In Sweden there exists from old something like a popular participation in the dispensation of justice, though not in the shape of formal juries, and here the question might arise if, in a judicial reform, this lay element should be further developed, and, if so, in what shape. As to Denmark, the Charter of 1849 has, to a great extent, prejudged the matter by enacting that in criminal

cases and in lawsuits of a political nature juries are to be introduced; but this promise stands unfulfilled after thirty years, and none of the bills laid before the Danish Rigsdag in order to introduce the new system has met with sufficient support for passing into law. In these thirty years many enthusiastic adherents of the jury have been brought to doubt the infallibility of the system. The experience gained in countries where of late the jury has been introduced, as in Germany and in Italy, and even in France and Belgium, where it is of longer standing, does not seem to warrant the belief that justice is more evenly dispensed and society better protected against crime by leaving it in the hands of juries to declare guilty or not guilty. There may even be found those who pretend that, however closely the jury may be connected with the political system of England, and however deep its roots may lie in English history, still, from an exclusively juridical point of view, the twelve men in a box are not safer custodians of independent truth and fearless justice than would be a college of irremovable judges; recent cases of which, I hardly need remind English readers, are referred to in proof of this opinion; and it is said that even among English lawyers the tendency is rather to restrict than to extend the sphere of juries. On the other hand, there are still fervent supporters of the system, and most of the speakers on the Danish side recommended it strongly, while the majority of Swedish and Norwegian members seemed as decided in their opposition. Between these two extremes, several speakers recommended the form of lay participation lately adopted in some parts of Germany, where no division between fact and law is admitted, but where the jurymen (*Schöffen*) concur with the judge or judges in declaring guilty or not guilty."

The select committee appointed to consider the question whether any and what alteration can, without inconvenience, be made in the hours of polling at parliamentary and municipal elections in boroughs, other than the metropolitan boroughs, so as to afford greater facilities to electors desiring to record their votes, have agreed to the following report:—"Your committee have examined a number of witnesses, and have considered the report of the Parliamentary and Municipal Elections (Hours of Polling) Committee of last year, which has been referred to them. They have also received answers to questions submitted by them to the mayors or provosts of various parliamentary boroughs. It has been established to their satisfaction that in certain cases, owing to the large extent of the boundaries of the constituency, or to the local circumstances of trade, and the distance at which men work from their homes, artisans have been prevented from recording their votes, and have been put to inconvenience or pecuniary loss in order to record them. Witnesses on this head have been able to suggest no other remedy than an extension of the hours of polling, and your committee are not at present satisfied that there is any other method of meeting the difficulty. On the other hand, a considerable majority of those responsible for the maintenance of order, both witnesses examined *vis à vis* and others, to whom a circular on the subject was sent by committee, are opposed to such extension. Apart from your official witnesses, the evidence given before your committee was to the effect that an extension of the hours of polling would put an end to the practice which prevails in certain boroughs of celebrating election days as whole or partial holidays, and in this way would diminish the danger of disturbance and the amount of drunkenness. Your committee are clearly of opinion that it would be undesirable to extend the hours of polling in all Parliamentary and municipal boroughs, irrespectively of local requirement, and in the absence of pressing necessity. Nor are they able to recommend any limit of population or area above which the extension should be fixed by Parliament. A power has been given to returning officers in the case of School Board elections to fix the hours of polling; but in the case of parliamentary and municipal elections your committee are not satisfied that it would be expedient to cast such a responsibility upon them. The question, as it seems to them, does not press for immediate solution, and in the absence of any urgent necessity, and in the face of the objections which they have indicated, they would suggest it standing over until the time, not now a distant one, arrives for considering the continuance of the Ballot Act. By that time also there may have been experience of the extended hours in the metropolitan constituencies.

## Appointments, &c.

Mr. CLEMENT CARPENTER CARLYON, solicitor (of the firm of Carlyon & Son, of Truro), has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature in England.

The Hon. LEWIS CHARLES INNES, a judge of the High Court of Judicature at Madras, has been appointed Vice-Chancellor of the University of Madras.

The Hon. LOUIS STUART JACKSON, one of the judges of the High Court of Judicature at Calcutta, has been appointed to act as Chief Justice of Calcutta, during the absence of Sir Richard Garth.

Mr. HENRY FRICKER LAWES, solicitor, of Bristol (who was admitted in 1861), has been unanimously elected Clerk to the Commissioners of Property and Income Tax for the City of Bristol in succession to Mr. Thomas Danger, deceased. Mr. Lawes has also been appointed Clerk to the Commissioners of Land Tax for Bristol.

Mr. EDMUND SMITH WOOD, solicitor, of Winchcombe, has been appointed Clerk to the County Magistrates and Clerk to the Commissioners of Taxes at that place, both of which offices were held by the late Mr. Henry Plumble. Mr. Wood was admitted a solicitor in 1864, and is also clerk to the Winchcombe District School Board.

## BANKRUPTCIES AND LIQUIDATIONS.

THE Comptroller in Bankruptcy, in his report to the Lord Chancellor, refers the cause of the continued annual increase in the number of liquidations. He says:—"In the year 1868, under the Bankruptcy Act, 1861, there were 8,045 trust deeds and 9,195 bankruptcies. The growth in number and in abuse of trust deeds induced the amending Act of that session (1868), and in the following year, 1869, the number of trust deeds fell to 4,668, while the number of bankruptcies rose to 10,396, from which it would seem that the amendments of the Act of 1868 prevented 3,377 debtors from carrying deeds by means of fictitious creditors, &c.; that 1,201 of these sought bankruptcy to avoid imprisonment, and that the remaining 2,176 were able to satisfy the whole of their creditors when compelled by fear of imprisonment or bankruptcy. Still, there were great abuses under deeds from each creditor being dealt with separately by the debtor and his professional agents; some creditors could be persuaded by promises of secret preferences, while others were prevailed upon by threats that if they did not assent to the deed the estate would go into bankruptcy, and, as they were informed, they would get nothing. The Bankruptcy Act, 1869, sought to prevent these abuses by assembling the creditors at a meeting, where, after careful deliberation, assisted by competent and reliable professional advisers, they could arrive at a just appreciation of the merits of the case, and resolve accordingly. In the first year (1870) there was a still further decrease in the number of those arrangements, 3,651 resolutions of creditors being registered, instead of the 4,668 deeds of the preceding year; suggesting 1,017 debtors, who, supported by skilful solicitors and accountants, would not have feared to meet their creditors one by one, but who were not satisfied that their statements would convince a meeting of creditors assisted by solicitors and accountants as skilful as their own. As the annual number of these arrangements was reduced from 8,045 in the year 1868 to 3,651 in the year 1870, by provisions of the Acts of 1868 and 1869, which could only affect dishonest debtors, it can scarcely be doubted that its continued increase since that date, till it reached 8,566 in the year 1877, has arisen from a growing appreciation by such debtors that from the negligence of the majority of creditors liquidation affords a cheap and easy means of getting rid of liabilities. There were 4,668 trust deeds and 10,396 bankruptcies in the year 1869. From the abolition of imprisonment for debt and of the old debtor's petition for bankruptcy the number of bankruptcies fell to an average of about 1,000 per annum, under the Act of 1869. The 8,566 liquidations of the last year (1877) appear to represent the whole of the trust deeds of the year 1869, and nearly 4,000 of the old bankruptcies on debtors' petitions. The small decrease in the number of bankruptcies under the present Act, from 1,351 to 967, arises from debtors preferring liquidation. The statistics of liquidation are just sufficient to show that



the number of these better cases are comparatively small, and that a great number of liquidations are of a paltry class of insolvencies. The 'gross value of the estates' in 31,651 liquidations by arrangement has been estimated at about twenty-seven millions. As this is the only estimate of debtors seeking to propitiate their creditors, and to obtain resolutions for liquidation and discharge, it would probably be too much to hope that seventy-five per cent. of this amount, or twenty millions of gross assets, would be actually realized. If there have been in liquidation generally so many as 1,500 fair cases in each year, there were 2,000 bad ones in the year 1870, and 7,000 bad ones in the year 1877." The Comptroller adds:—"I have no official knowledge of what occurs in liquidation by arrangement excepting so far as is shown by the returns of the taxing officers. I can only say that these things may be done; that, especially under a system of proxies, such uncontrolled powers are liable to the greatest possible abuses, which may be, and no doubt are, perpetrated without any probable risk of discovery, and that it is reasonable to suppose that the rapid increase of arrangements and compositions arises from the fact of their being profitable at once to the debtors and to the agents who commonly advise the creditors, or represent them by proxies. The point to which I have especially desired to call attention is the enormous amount of fraudulent insolvency which appears to have been encouraged by the trust deeds of the Act of 1861 and the liquidations of the Act of 1869, judging by its seemingly unparalleled annual increase under these arrangements, but chiefly by the sudden disappearance of several thousands of them immediately following legislation which could not have prevented any but arrangements of a grossly fraudulent character. I cannot doubt that a large majority of the 8,566 debtors who liquidated in the year 1877 did so greatly to their advantage, or that a general appreciation that debtors can liquidate their debts with but little personal or pecuniary inconvenience tends to greatly and continually increase the amount of commercial immorality, insolvency, and loss to the public by bad debts. Individual trade creditors make less or more than average profits as they make more or less than an average amount of bad debts; the average amount being covered by prices, the whole falls in the end on the public as consumers. The loss by bad debts under the Bankruptcy Act alone may be small compared with the aggregate of such losses, but it represents on the average of the last three years a tax on the public of eighteen millions per annum, which must at least help to increase the cost of living, and therefore the cost of production, and so to engender a further element of continually increasing prices.

### SALES OF ENSUING WEEK.

Sept. 25.—Messrs. J. & A. PARRISH, at the Mart, at 2 p.m., freehold and leasehold properties (see advertisement, this week, p. 4).

### PUBLIC COMPANIES.

September 19, 1878.  
RAILWAY STOCK.

	Railways.	Paid.	Closing Price.
Stock	Bristol and Exeter .....	100	—
Stock	Caledonian .....	100	108½
Stock	Glasgow and South-Western .....	100	99
Stock	Great Eastern Ordinary Stock .....	100	52½
Stock	Great Northern .....	100	110
Stock	Do., A Stock .....	100	113
Stock	Great Southern and Western of Ireland .....	100	139
Stock	Great Western—Original .....	100	98½
Stock	Lancashire and Yorkshire .....	100	135½
Stock	London, Brighton, and South Coast .....	100	139½
Stock	London, Chatham, and Dover .....	100	97½
Stock	London and North-Western .....	100	148½
Stock	Manchester, Sheffield, and Lincoln .....	100	130
Stock	Metropolitan .....	100	82
Stock	Do., District .....	100	114
Stock	Midland .....	100	63
Stock	North British .....	100	123
Stock	North Eastern .....	100	95½
Stock	North London .....	100	141
Stock	North Staffordshire .....	100	162
Stock	South Devon .....	100	60
Stock	South-Eastern .....	100	79
Stock	South-Eastern .....	100	119

\* A receives no dividend until 6 per cent. has been paid to B.

### GOVERNMENT FUNDS.

3 per Cent. Consols, 95½	Annuities, April, '88, 94
Ditto for Account, Oct. 3, 95½	Do. (Red Sea T.) Aug. 1898
Do. 3 per Cent. Reduced, 93½	Ex Bills, £1000, 2½ per Cent. 3 dis.
New 3 per Cent., 93½	Ditto, £500, Do. 3 dis.
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, 3 dis.
Do. 2½ per Cent., Jan. '94	Bank of England Stock,
Do. 5 per Cent., Jan. '78	Ditto for Account.
Annuities, Jan. '80	

### BIRTHS, MARRIAGES, AND DEATHS.

#### BIRTHS.

EVANS.—Sept. 14, at Cafford-bridge, Kent, the wife of Frank Evans, barrister-at-law, of a daughter.  
MACSWINNEY.—Sept. 11, at St. George's, Tufnell-park, the wife of R. E. MacSwinney, barrister-at-law, of a daughter.  
MASON.—Sept. 14, at Felham-villa, Beaconsfield, near Great Grimsby, Lincolnshire, the wife of Mr. Richard Mason, solicitor, of a daughter.  
SWIFT.—Sept. 17, at 45, Westbourne-terrace, Hyde-park, the wife of Herbert H. Swift, barrister-at-law, of a daughter.

#### MARRIAGES.

CLARK—PRESGRAVE.—July 30, at Penang, S.S., Arthur Edward Clarke, of the Inner Temple, barrister-at-law, to Isabella, daughter of Duncan Clark Presgrave, of Penang.  
LASCELLES—WOODCOCK.—Sept. 5, at Wigan, Percy Fellow Lascelles, barrister-at-law, to Lilias Frances Anne, daughter of Henry Woodcock, of Bank House, Wigan.  
STYLE—LOCK.—Sept. 17, at St. George-the-Martyr, Bloomsbury, Sidney Style, Liverpool, solicitor, to Jane May, daughter of Henry Lock, Dorchester.  
SUTTON—LIVERMORE.—Sept. 12, at Londonderry, Edmund Sutton, of the Inner Temple, barrister-at-law, to Susannah Plumbridge, daughter of Arthur Livermore, U.S. Consul, Londonderry.

#### DEATH.

EDISON.—Sept. 9, at Stock, Essex, John Sibbald Edison, of the Middle Temple, aged 74.

### LONDON GAZETTES.

#### Professional Partnerships Dissolved.

FRIDAY, Sept. 13, 1878.  
Howell, David, and Edward Morgan, Machynlleth, Montgomery, Solicitors. July 31  
Marshall, George, Charles Henry Marshall, and Thomas Bescoby, East Bedford, Nots., Solicitors. June 30

#### Winding up of Joint Stock Companies.

LIMITED IN CHANCERY.  
FRIDAY, Sept. 13, 1878.

Blake's Colliery Company, Limited.—By an order made by Field, J. dated Sept 4, it was ordered that the above company be wound up. Carrut and Son, Fenchurch at, solicitors for the petitioners.  
Oldham Land and Building Company, Limited.—Petition for winding up presented Sept 11, directed to be heard before Hawkins, J. on Sept 25. Gregory and Co, Bedford row, agents for A-croft and Son, Oldham, solicitors for the petitioner.  
Scarsdale Brewery Company, Limited.—By an order made by the Vacation Judge, dated Sept 4, it was ordered that the voluntary winding up of the above company be continued. Torr and Co, Bedford row, agents for Wigham, Sheffield, solicitor for the petitioner.

LIMITED IN CHANCERY.

TUESDAY, Sept. 17, 1878.  
Continuous Brake Company, Limited.—Petition for winding up presented Sept 11, directed to be heard before the Vacation Judge, on Sept 25, at the court of V.C. Hall. Raven and Co, Queen Victoria at, solicitors for the petitioner.

Merchants' Joint Stock Bank, Limited.—Petition for winding up presented Sept 13, directed to be heard by V.C. Hall on Sept 25. Hurford and Taylor, Furnival's Inn, Holborn, solicitors for the petitioners.  
Newport and South Wales Shipowners' Company, Limited.—Petition for winding up presented Sept 13, directed to be heard by V.C. Hall on Nov. 9. Warriner and Co, Great Winchester at, agents for Gibbs and Lowellyn, Newport, Mon, solicitors for the petitioners.

#### Friendly Societies Dissolved.

TUESDAY, Sept. 17, 1878.  
Loyal Lodge of Good Fellows, White Lion Inn, Sedgley, Staffs. Sept 13

#### Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.  
TUESDAY, Sept. 10, 1878.  
Balshaw, John, Heaton, Stafford, Yeoman. Nov 12. Parroti and Co, Macclesfield.  
Beaumont, Hannah, Clough, York. Nov 6. Bottomley, Huddersfield.  
Bradbury, John, Longton, Stafford, Fishmonger. Oct 3. Challinor, Hanley.  
Burn, George, Tranwell, Northumberland, Farmer. Nov 1. Nicholas, Morpeth.  
Clark, John, Chatteris, Cambridge, Gent. Oct 5. Sawbridge MR & Co, Chesham.

Kills, Joseph, Mirfield, York, Contractor. Oct 10. Ibberson, Dewsbury.  
 Ellis, Thomas, Mirfield, York, Stone Mason. Oct 10. Ibberson, Dewsbury.  
 Eustace, Charles, Colham, Bristol, Gent. Nov 5. Cleaver and Holden, Liverpool.  
 Godderidge, George Shirley, Bolehall, Warwick, Upholsterer. Oct 7.  
 Argyle and Sons, Tamworth.  
 Haines, Alfred, Kensal Green. Oct 24. Beaumont and Son, Lincoln's Inn-Fields.  
 Jones, John, Lower Redland, Bristol, Gent. Sept 29. Roberts, Bristol.  
 Jordan, Fanny, Bereford st, Walworth. Oct 10. Vant, Leadenhall st, Lumb, Peter, Stanks. Nov 1. Greene, Leeds.  
 Morris, John, Piffeld, Montgomery, Gent. Sept 29. Talbot and Co, Newtown.  
 Pearson, Henry, Bolton, Lancaster, Blacksmith. Sept 21. Hawks-worth, Bolton.  
 Probert, Ann, Birmingham. Oct 15. Smith, Birmingham.  
 Purdy, William, Amburst Park rd, Stamford Hill, Manager of the Bank of South Australia. Clarke and Calkin, Great James st, Bedford row.  
 Roper, John, Deptford, Plumber. Oct 26. Lockyer, Deptford Bridge Road, George, late of Wandsworth rd, Siable yard Foreman. Oct 8. Chipperfield, Trinity st, Southwark.  
 Salmon, John Aiken, Higher Broughton, Manchester, Civil Engineer. Nov 7. Boote and Edgar, Manchester.  
 Solomon, Lewis, Henrietta st, Covent Garden, Fruit Merchant, Dec 2.  
 Lewis and Lewis, Ely Place, Holborn.  
 Varty, Edward, Manor rd, Holloway, Printer. Oct 5. Sawbridge, Mill st, Cheshire.  
 Wilkinson, John, Welton Grange, York, Esq. Nov 1. Polden and Co, Kingston-upon-Hull.  
 Yabaley, John, Plymouth, Gent. Nov 1. Rooker and Co, Plymouth.  
 Young, James, St Helen's Place, Bishopsgate, Esq. Sept 24. Vincent, Ryde.

#### Bankrupts.

FRIDAY, Sept 13, 1878.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Martin, George Rose, and Henry Warland White, Fenchurch st, Merchants. Pet Sept 12. Pepps. Oct 2 at 11.  
 To Surrender in the Country.  
 Baker, William, Hoarstone, Worcester, Farmer. Pet Sept 9. Talbot. Kidderminster, Oct 2 at 11.  
 Burnard, Joseph, and Violetta Cope, Hanley, Grocers. Pet Sept 7. Tennant. Hanley, Sept 25 at 11.  
 Dow, John, Weaste, nr Manchester, Foreman at Manchester Carriage Company. Pet Sept 9. Hulton. Salford, Sept 25 at 11.  
 Urney, Alfred Thomas, Swansea, Gent. Pet Sept 3. Bellingham. Swansea, Sept 25 at 11.  
 Riley, Thomas, Sunderland, Ship Owner. Pet Sept 9. Boulton. Sunderland, Sept 24 at 11.

TUESDAY, Sept 17, 1878.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Gey, Charles John, and Frederick Spencer Gray, South st, Finsbury Market, Cabinet Makers. Pet Sept 13. Pepps. Oct 4 at 11.  
 Jones, Louis, Fried st, Paddington, Glass Cutter. Pet Sept 12. Pepps. Oct 2 at 12.  
 Shpton, Louisa, Ladbrooke grove, Notting Hill, Pupil Teacher. Pet Sept 15. Pepps. Oct 3 at 11.

To Surrender in the Country.

Binn, Joseph, Bradford, Waste Dealer. Pet Sept 14. Robinson, Bradford, Oct 5 at 9.  
 Cockerell, George Russell, Sydenham, Gent. Pet Sept 13. Pitt-Taylor, Greenwich, Oct 6 at 2.  
 Henderson, William, Newcastle-upon-Tyne, Commission Agent. Pet Sept 2. Pybus, jun. Newcastle, Sept 27 at 11.  
 Milten, Henry, Kingston-upon-Thames, Farmer. Pet Sept 12. Abbott. Kingston, Oct 3 at 4.  
 Nichols, Edward, Finchbeck, Lincoln, Wheelwright. Pet Sept 14. Goshes. Peterborough, Oct 5 at 2.

#### Liquidations by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, Sept 13, 1878.

Artis, George Henry, Leeds, Painter. Sept 24 at 3 at the Saracen's Head Hotel, Boar lane, Leeds. Harle, Leeds.  
 Bate, Richard Henry, Birmingham, Perambulator Manufacturer. Sept 26 at 12 at offices of Slaney, Ann st, Birmingham.  
 Bates, Edmund, Deal, Kent, out of business. Sept 27 at 2 at the Guildhall Tavern, Gratham st. Minter, Folkestone.  
 Beardwell, John, Fendleton, nr Manchester, Stone Mason. Sept 26 at 3 at offices of Potter and Lowe, Mosley st, Manchester.  
 Beck, Israel, Derby, Shoe Manufacturer. Sept 20 at 3 at offices of Briggs, Amen alley, Derby.  
 Bettam, Richard, Cheltenham, Boot and Shoe Maker. Oct 1 at 11 at offices of Clark, Regent st, Cheltenham.  
 Blacker, Beaver Henry, Cheltenham, Clerk in Holy Orders. Oct 3 at 3 at Regent and Sanders' Auction Room, Ormond place, Cheltenham. Wheeler, Cheltenham.  
 Brown, John Joseph, Railway st, King's Cross, Boot Manufacturer. Sept 23 at 10 at offices of Gosly, Westminster Bridge rd.  
 Bullock, Henry, Great Grimsey, Joiner. Sept 25 at 11 at offices of Orange and Waringham, St Mary's chambers, West St Mary's gate, Great Grimsey.  
 Carter, Richard, Little Horton, York, Builder. Sept 20 at 11 at offices of Harris and Halliwell, Market st chambers, Market st, Bradford.  
 Carver, Eustace John, Fairview, Waltham Green, Fulham, Burgess. Sept 26 at 3 at offices of Cook and Phillips, Finsbury circus.  
 Cowley, James Charles, City rd, Antique Furniture Manufacturer. Sept 26 at 3 at offices of Taylor and Jagoe, South st, Finsbury sq.

Charlton, Thomas, Mount Pleasant, North Shields, Builder. Sept 26 at 1 at the Albion Hotel, North Shields. Whitmore, South Shields.  
 Chaso, George William, Hanley, Stafford, Draper. Oct 2 at 3 at offices of Cooper and Co, Cheshire. Ashurst and Co, Old Jewry.  
 Chesters, John, Nantwich, Cheshire, Publican. Sept 26 at 12 at the Old Red Cow Inn, Beam st, Nantwich. Martin, Nantwich.  
 Coupe, John Charles, Balby, York, Colliery Agent. Sept 27 at 3 at offices of Whall, Bridge st, Workop.  
 Cox, John, Worcester, out of business. Sept 23 at 11 at offices of Tree and Son, High st, Worcester.  
 Crompton, Edward, Bolton, Lancashire, Cloth Dealer. Sept 24 at 2 at offices of Rutter and Finney, Mawdsley st, Bolton.  
 Cruickshank, John, Ardwick, Manchester, Tailor. Sept 26 at 3 at offices of Sutton and Elliott, Fountain st, Manchester.  
 Danaford, Daniel William, Warleigh, Hants, Mercantile Clerk. Sept 27 at 3 at offices of Shute and Nookolds, Portland st, Southampton.  
 David, William Richard, Dudley, Iron Merchant. Sept 23 at 10 at the Swan Hotel, Birmingham. Jacob, Abergavenny.  
 Dawes, Harriett, Alfreton, Derby, Saddler. Sept 23 at 11 at the Bell Hotel, Derby. Thorman, Alfreton.  
 Dees, John, Hartlepool, Engineer. Oct 3 at 3 at offices of Marshall, Church st, West Hartlepool.  
 Dobson, William Clayton, York, Tailor. Sept 26 at 10 at offices of Crumlie, Stonegate.  
 Etches, John, Scarborough, Tailor. Sept 27 at 3 at offices of Drawbridge and Rowntree, Newborough st, Scarborough.  
 Frankland, Richard, Whalley, Lancashire, Tailor. Sept 30 at 11 at the White Bull Hotel, Church st, Blackburn. Eastham, Clitheroe.  
 Green, Edward, Holbeck, York, Tow Spinner. Sept 23 at 11 at offices of Tempest and Hewson, Albion st, Leeds.  
 Hadfield, Alfred, Burton-on-Trent, Joiner. Sept 23 at 11 at the Midland Hotel, Burton-on-Trent. Wilson, Burton-on-Trent.  
 Hardisty, Godfrey, Auctioneer. Kingston-upon-Hull. Sept 23 at 11 at offices of Mends and Penny, Parliament st.  
 Hargreaves, William, Bolton, Lancashire, Solicitor. Sept 23 at 3 at offices of Healy, Acresfield, Bolton. McEwen, Manchester.  
 Harris, Henry, Stafford, Licensed Victualler. Sept 24 at 11 at offices of Hand and Co, Martin st, Stafford.  
 Heath, John, Bristol, Butcher. Sept 23 at 12 at offices of Fernyough, Bridge st, Bristol.  
 Ho'der, Harry, Cheltenham, Farmer. Sept 30 at 11 at offices of Clark, Regent st, Cheltenham.  
 Hudson, Walter Greville, Pittfield st, Hoxton, Commercial Traveller. Sept 19 at 2 at offices of Neithersole, Mason's avenue, Basinghall st.  
 Hunsley, Sophia, Huddersfield, Innkeeper. Sept 26 at 3 at offices of Drake, John William st, Huddersfield.  
 Hurt, Isaac, Lenton, Nottingham, Agent. Sept 27 at 12 at offices of Shires, Market st, Leicester.  
 Jackson, William, Lancaster, Bootmaker. Sept 26 at 11 at offices of Holden and Whelon, Church st, Lancashire.  
 Jardine, Robert, Liverpool, Bookseller. Sept 30 at 2 at offices of Evans and Lockett, Lord st, Liverpool.  
 Johns, Thomas, Ferndal buildings, Whitechapel, Undertaker. Oct 3 at 3 at offices of Turner and Son, Leadenhall st.  
 Jolley, William, Ince-within-Makerfield, Lancashire, Provision Dealer. Sept 26 at 11 at offices of France, Churchgate, Wigan.  
 Jones, Benjamin Richard, Llanyfyllio, Denbigh, Innkeeper. Sept 23 at 1 at the Wynnstay Arms Hotel, Ruabon. James, Curwen.  
 Jones, Evan, Talyssarn, Carnarvon, Tailor. Oct 1 at 2 at the Royal Hotel, Dale st, Liverpool. Jones and Co, Carnarvon.  
 Kelsey, Walter, Scarborough, Hotel Keeper. Sept 24 at 3 at offices of Cornwall and Watts, Queen st, Scarborough.  
 Knoll, Gottlieb, Windsor terrace, Harrow rd, Baker. Sept 27 at 3.30 at 29, Mark lane. Young and Sons.  
 Lambert, William Evelyn, Forest hill, Kent, Clerk to a Solicitor. Oct 3 at 2 at offices of Emery, Coleman st, Follen, Basinghall st.  
 Lawson, Vincent Alexander, Kennington Park rd, Lambeth, Traveller. Sept 30 at 3 at Muller's Hotel, Ironmonger lane, Cheshire, Downing, Basinghall st.  
 Ledger, George, Farnborough, Kent, Butcher. Sept 25 at 3 at offices of Mardon and Co, Moorgate st. Gregory, Moorgate st.  
 Little, Alexander, Cumberland, Brazier. Sept 27 at 3 at offices of Whiteside, Church st, Whitehaven.  
 Livingston, James, Swansea, Colliery Proprietor. Sept 25 at 11 at 2, Cambrian place, Swansea. Smith and Lewis.  
 Lowdon, Thomas, Leeds, Accountant. Sept 23 at 3 at the Queen's Hotel, Leeds. Fern, Leeds.  
 Makin, William James, Union st, Southwark, Licensed Victualler. Oct 3 at 3 at offices of Barton and Pearnan, Kennington rd, Lambeth.  
 Marley, James Edwin, Heaton Norris, Lancashire, Builder. Sept 23 at 3 at offices of Coppock and Co, Vernon st, Stockport.  
 Mason, Thomas, Harborne, Stafford, Accountant. Sept 26 at 11 at offices of Burton, Union passage, Birmingham.  
 Matthews, John, Farnworth, Lancashire, Baker. Sept 27 at 3 at offices of Rutter and Finney, Mawdsley st, Bolton.  
 Mears, Henry, North place, Haggerston, Horsehair Dresser. Sept 23 at 11 at offices of Mount, Gracechurch st.  
 Melward, Alfred, Farnborough, Worcester, Licensed Victualler. Sept 23 at 11 at offices of Face, Bridge st, Farnborough.  
 Miller, William Thomas, Lismore rd, Haverstock hill, Perambulator Maker. Sept 21 at 2 at offices of Kitch, Argyll place, Regent st.  
 Mills, Thomas, Earlestown, Lancashire, Journeyman Boiler Maker. Sept 27 at 3 at offices of Davies and Co, Market place, Warrington.  
 Morgan, Charles, Kaling, Schoolmaster. Sept 23 at 11 at Grove Cottage, St Mary's rd, Kaling. Stirling and Farrot, Serjeant's inn, Chancery lane.  
 Mortimer, John, Kendal, Westmoreland, Architect's Assistant. Oct 7 at 2 at offices of Wilkes, Northgate, Darlington.  
 Moss, Henry, Fendleton, Manchester, Beerhouse keeper. Oct 3 at 3 at the Commercial Hotel, Brown st, Manchester. Stevenson, Deansgate, Manchester.  
 Nelligan, Henry Hodson, Higher Trammere, Cheshire, Book keeper. Oct 1 at 1 at offices of Prior, North John st, Liverpool. Ramsey.  
 Peasley, Henry, Sheffield, Silvermith. Sept 23 at 3 at offices of Clogg and Bone, Bank st, Sheffield.

Patman, George Booth, Norwich, Chemist. Sept 26 at 12 at offices of Emerson, Rampant Horse st, Norwich  
 Pearson, Thomas Thorpe, jun, Manchester, Quilt Manufacturer. Sept 20 at 5 at offices of Barrow and Smith, Cross st, Manchester  
 Pitts, John, Exeter, Draper. Sept 26 at 12.30 at the Grand Hotel, Bristol, Hurgins  
 Potter, William, Eorham, Corndealer. Oct 3 at 2 at the Black Horse Hotel, Horham, Hurgins  
 Pryor, James, Thornhill, York, Hammerman. Sept 26 at 11 at offices of Oley and Co, Westgate, Rotherham  
 Read, Robert Edmelech, Hadleigh, Suffolk, Chemist. Sept 30 at 3 at Pearce's Rooms, Princess st, Ipswich. Hill  
 Rowley, John Alfred, Rochdale, Confectioner. Sept 26 at 3 at the Reed Hotel, Reed hill, Rochdale. Roberts, Rochdale  
 Robinson, Thomas Godburn, South Shore, Blackpool, Beer Retailer. Sept 27 at 3 at the Manchester Hotel, South Shore, Blackpool. Heath and Sons, Manchester  
 Snowden, Stephen Henry, Kirkby Lonsdale, Westmoreland, Joiner. Sept 27 at 12 at the Victoria Hotel, Bradford. Picard, Kirkby Lonsdale  
 Spens, Robert, Athol st, Poplar, Shipwright. Sept 21 at 11 at offices of Harvey and Co, Basinghall st. Haynes and Co, Grecian chambers, Temple  
 Stevens, Stephen, Olive vale, Hastings, Builder. Sept 23 at 12 at the Havelock Hotel, Havelock road, Hastings. Sheppard  
 Storer, Henry, and William Schofield, Stalybridge, Skewer Manufacturers. Sept 27 at 3 at the Commercial Inn, Melbourne st, Stalybridge. Buckley and Miller, Stalybridge  
 Thompson, John Thomas, Birkdale, Lancashire, Druggist. Sept 26 at 11 at the Scarlebrick Arms Hotel, Lord st, Southport. Back and Dickson, Southport  
 Tolson, Isaac, Bailey, Spinner. Sept 26 at 10 at offices of Wooler, Exchange buildings, Batley  
 Tunstall, William, Woolston, Hants, Mineral Water Manufacturer. Sept 25 at 3 at offices of Shutte and Nockolds, Portland st, Southampton  
 Twiss, Thomas Brown, and Henry William Butler, Little Britain, Floor cloth Manufacturers. Sept 23 at 2 at the Masons' Hall Tavern, Mason's avenue, Basinghall st. Child, South sq, Gray's inn  
 Upton, William, Birmingham, Furniture Dealer. Sept 27 at 12 at offices of Poulton, Temple row west, Birmingham  
 Vaughan, Percy, Teignmouth, Devon, Farmer. Oct 1 at 3.30 at the Seven Stars Hotel, Totnes. Whiddons and Tozer, Teignmouth  
 Weyde, Henry Van der, Regent st, Electric Light Photographer. Sept 25 at 2 at the Guildhall Tavern, Gresham st. Robinson, Gresham house, Old Broad st  
 Whistler, Sam, Queensberry, York, Cabinet Maker. Sept 21 at 11 at the Victoria Hotel, Bradford  
 Williams, Thomas, Duddley, Avill Maker. Sept 21 at 11 at offices of Stokes and Harper, Priory st, Dudley  
 Winter, Charles Henry, Newcastle-upon-Tyne, Steel Manufacturer. Sept 25 at 2 at offices of Garbutt, Collingwood st, Newcastle-upon-Tyne  
 Wood, Frederick, Croydon, Seller of Cat's Meat. Sept 21 at 11 at Rose Cottage, St John's grove, Croydon. Dennis, Croydon  
 Wood, Jonathan, Scarborough, Grocer. Sept 25 at 12 at offices of Crowther, Huddersfield, Scarborough  
 Wright, Charles, Hocknall Torkard, Nottingham, Provision Dealer. Oct 1 at 12 at offices of Everall and Turner, St Peter's Church walk, Nottingham  
 Wyatt, Edmund, Warginton, Oxford, Carpenter. Sept 27 at 11 at offices of Kilby and Mace, High st, Banbury  
 Wyergh, Frederick Louis, Orpington, Kent, Wine Merchant. Sept 30 at 4 at the Cannon at Hotel. Templin and Co, Fenchurch st  
 Zimmermann, John Ulrich, and William Wheeler Hoyland, Birmingham, Merchants. Sept 27 at 2 at the Great Western Hotel, Monmouth st, Birmingham. Johnson and Co, Birmingham

## TUESDAY, Sept. 17, 1878.

Adams, John, and Charles Kimber, Walsall, Cabinet Makers. Oct 7 at 11 at the Union Hotel, Uni n st, Birmingham. Smith, Walsall  
 Arskott, Carl Johan, Bristol, Ship Broker. Sept 28 at 11 at offices of Tricks and Co, City chambers, Nicholas st, Bristol. Clifton, Bristol  
 Aston, Thomas Henry, Huddersfield, out of business. Oct 2 at 3 at offices of Leroy and Co, haxton rd, Huddersfield  
 Barnes, Hargreaves, Rochdale, Eating house Keeper. Oct 9 at 3 at offices of Milesworth, The Walk, Rochdale  
 Bateman, William, Bristol, York, Mason. Oct 4 at 3 at offices of Ridgway and Higway, Wellington st, Batley  
 Bales, George, Westmoreland rd, Walworth, Corn Merchant. Sept 24 at 3 at 8, Queen st place, Cannon st. White, Queen st  
 Bech, Henry, Newcastle-under-Lyme, Fishmonger. Sept 26 at 2 at offices of Ashmali, Chesapeake, Hanley  
 Bell, John, Newcastle-upon-Tyne, Farmer. Sept 26 at 2 at offices of Sewell, Grey st, Newcastle-upon-Tyne  
 Blackburn, Thomas, Southgate-in-Riland, Halifax, Greengrocer. Sept 30 at 10.30 at offices of Rhodes, Horton st, Halifax  
 Blyth, Caleb, Wymondham, Norfolk, Publican. Sept 30 at 3 at offices of Sudd and Lynam, Theatre st, Norwich  
 Boothroyd, Joseph, Llandudno, Carmarvon, Plumber. Oct 1 at 3 at the Wheat Sheaf Hotel, Fenchurch st, Manchester. Jones, Conway  
 Boyall, Joseph, Spilby, Lincoln, Watchmaker. Sept 28 at 2 at the Red Lion Hotel, Boston. Thimbleby and Son, Spilby  
 Broadburn, Peter, Islams-o'-th'-Height, nr Manchester, Builder. Oct 3 at 3 at offices of Doyle, Princess st, Manchester  
 Brownhill, Richard, Thaxto heath, Lancashire, Licensed Victualler. Oct 2 at 3 at offices of Ponton, Dale st, Liverpool  
 Chaplin, Walter, Sudbury, Suffolk, Innkeeper. Sept 27 at 12 at the Cannon at Hotel, Mumford, Sudbury  
 Colston, William, Lewisham hill, Kent, Commercial Traveller. Oct 7 at 3 at offices of Hughes, High st, Lewisham  
 Cook, John, Jun, Hindley, Lancashire, Corn Factor. Oct 3 at 11 at offices of Wilson, King st, Wigan  
 Cope, Josiah, Penton, Stafford, Grocer. Sept 25 at 11 at the Swan Hotel, Longton  
 Dacre, Christopher Saxton, Leeds, Cab Proprietor. Sept 30 at 2 at offices of Dawson, Albion st, Leeds

De Dobrowski, Alexander Ferdinand, Shrewsbury, Music Publisher. Oct 2 at 10 at the Cannon at Hotel, Cannon st  
 Downes, Sophia Matilda, Bury, Wholesale Grocer. Sept 30 at 3 at offices of Anderton, Garden st, Bury  
 Drake, Charles, Heath villa, New Wandsworth, Secretary to a Limited Company. Oct 1 at 2 at offices of Steele, College hill  
 Dublin, David, Lee, Kent, Builder. Oct 4 at 12 at offices of Moss, Greenwich st  
 Dyer, William, Grange rd, Bormondsey, Hair Pin Manufacturer. Oct 8 at 3 at offices of Perry, Guildhall chambers, Basinghall st  
 Emmott, John William, Keighley, Painter. Oct 2 at 2 at offices of Robinson and Robinson, Keighley  
 Franklin, Elisabeth, Cheltenham, Dairy Keeper. Sept 28 at 11 at offices of Proun, Regent st, Cheltenham  
 Freeman, Delamark, Marylebone rd, Surgeon. Sept 26 at 3 at offices of Barnett, Palmerston buildings, Old Broad st  
 Haines, Thomas, Canton, Cardiff, Mason. Sept 30 at 11 at offices of Morgan, Cardiff  
 Hale, Edmund Thomas, Chew Magna, Somerset, Physician. Sept 27 at 3 at offices of Tricks and Co, City chambers, Nicholas st, Bristol. Clifton, Bristol  
 Hammond, John, Winchester, Fishing Tackle Maker. Oct 2 at 3 at offices of Adams and Co, Jewry st, Winchester  
 Hand, Alfred, Moss Side, nr Manchester, Joiner. Sept 27 at 3 at offices of Edwards, Bransnosse st, Manchester  
 Hardy, James, and John Clements, Salford, nr Birmingham, Builders. Sept 27 at 11 at offices of Southall and Co, Waterloo st, Birmingham  
 Hargreaves, Jonathan, Dewsbury, Slater. Oct 5 at 10.15 at the Scarborough Hotel, Dewsbury. Scholes and Son, Dewsbury  
 Harris, Thomas Henry George, Sutton, Dairyman. Oct 4 at 10 at the Green Dragon Hotel, High st, Croydon. Hare, Old Broad st  
 Hart, James Michael, Ravensthorpe, Beerhouse Keeper. Oct 1 at 3 at offices of Shaw, Bond st, Dewsbury  
 Harvey, Thomas, Nottingham, Timber Merchant. Oct 9 at 3 at the Assembly Rooms, Low pavement, Nottingham. Downson and Wright, Nottingham  
 Hastings, George Henry, Ferry Bar, Stafford, Baker. Sept 30 at 11 at offices of Peel, Colmore row, Birmingham  
 Hayes, William Edward, Birmingham m, Packing Case Maker. Sept 25 at 11 at offices of Bunkle and Clulee, Waterloo st, Birmingham. East, Birmingham  
 Hinchcliffe, Frederick, Warmfield, nr Wakefield, Provision Dealer. Sept 30 at 3 at offices of Lake, Southgate, Wakefield  
 Hipwell, Alfred Eli, Countesthorpe, Leicester, Farmer. Sept 30 at 3 at offices of Hineck, Belvoir st, Leicester  
 Holden, James, Bolton, Contractor. Oct 3 at 3 at offices of Greenhalgh and Cannon, Acresfield, Bolton  
 Isaacs, Myer, Midway park, no occupation, Sept 26 at 11 at offices of Lane, Gresham st  
 Jackson, John, Middlesbrough, Tailor. Sept 30 at 1 at the Queen's Hotel, Leeds. Robson, Middlesbrough  
 James, William Henry, Cirencester, Accountant. Sept 25 at 10.30 at the Railway Hotel, Purton. Porter, Cheltenham  
 Johnson, James Michael, Birmingham, Builder. Sept 30 at 3 at offices of Buller and Bickley, Bennett's hill, Birmingham  
 Johnson, William, Wigan, Smallware Dealer. Sept 30 at 11 at offices of Wood, King st, Wigan  
 Kaltenbach, Weibert, Neath, Watch Maker. Sept 30 at 11 at offices of Seale, London rd, Neath  
 Knappe, James, Balham, Surrey, Merchant's Clerk. Oct 2 at 4 at offices of Westhead, Gresham buildings  
 Lees, John, Birmingham, out of business. Sept 25 at 11.30 at offices of Fallows, Cherry st, Birmingham  
 Lemmon, Sarah, King's rd, Chelsea, Miller, and William Lemmon, of the same place, without occupation. Oct 3 at 12 at offices of Baxter, Laurence Pountney hill, Cannon st  
 Linson, Isaac, Hunslet, nr Leeds, Cabinet Maker. Sept 27 at 3 at offices of Lodge, Park row, Leeds  
 Lovering, George Challacombe, and Henry James Sharland, Liverpool. Drapers. Oct 7 at 12 at offices of Chatteris and Co, Queen Victoria st, Van Sand, London and Cambridge, King st, Chesham  
 Mann, John Holfie, and Thomas Neale Raven, Cambridge, Antiquaries. Sept 27 at 11 at offices of Wayman, Silver st, Cambridge  
 Marshall, Robert William, Owlerton, Sheffield, Paper Maker. Sept 30 at 2 at offices of Broorhead and Co, Sheffield  
 Martin, John Francis, Redmister, Bristol, Draper. Sept 23 at 12 at offices of Tricks and Co, City chambers, Nicholas st, Bristol. Bramble  
 McCusker, James, jun, Cleator Moor, Cumberland, Grocer. Oct 1 at 11 at offices of Mason, Duke st, Whitehaven  
 Mennell, William, Normanton, York, Outfitter. Sept 30 at 11 at the Royal Hotel, Wood st. Dibb and Co, Barnsley  
 Millon, Thomas, Tarnen, Kent, Farmer. Oct 1 at 10 at offices of Hellett and Co, North st, Ashford  
 Milligan, George, Chesterfield, Drap. Oct 1 at 3 at the Committee Room, Market Hall, Chesterfield. Cutts and Co, Chesterfield  
 Nicholson, Robert, Nottingham, Provision Dealer. Oct 4 at 3 at offices of Cranch and Stroud, Low pavement, Nottingham  
 Norman, John Frank, Sudbury, Suffolk, Tailor. Sept 27 at 3 at the Cannon at Hotel, London. Mumford, Sudbury  
 Novis, Richard, St Leonard's-on-Sea, Builder. Oct 9 at 2 at the Bridge Hotel, London Bridge. Sarony, Hastings  
 Parker, Elisabeth, Teignmouth, Devon, Carriage Proprietor. Oct 2 at 3 at the Queen's Hotel, Teignmouth. Whiddons and Tozer, Teignmouth  
 Pearson, Thomas Thorpe, jun, Manchester, Quilt Manufacturer. Sept 26 (and not 20) at 3 at offices of Barrow and Smith, Cross st, Manchester  
 Peatman, Thomas, Widnes, Lancashire, Grocer. Oct 4 at 3 at offices of Connor, Victoria st, Liverpool. Nordon and Mason, Liverpool  
 Periggs, Joseph, Tunbridge Wells, Kent, Builder. Oct 4 at 12 at the Cannon at Hotel. Arnold, Essex st, Strand  
 Phelps, Charles, Birmingham, Hawker. Sept 28 at 12 at offices of Jacques, Cherry st, Birmingham  
 Pitt, John, Weston Beggard, Hereford, Farmer. Oct 1 at 2.30 at offices of Corner, High Town, Hereford  
 Rhodes, Ezra, Pincheon st, Wakefield. Oct 2 at 11 at offices of Lake, Southgate, Wakefield



